Transfer Policy of High Court Judges

3209. SHRI R.K. ANAND : Will the Minister of LAW AND JUSTICE be pleased to refer to the reply to Unstarred Question 582 given in Rajya Sabha on 24th February, 2003 and state :

(a) whether it is a fact that a policy has been framed earlier that a Judge of the High Court could be transferred to another High Court in case any of the kith and kin of that Judge are practising in the same High Court;

(b) if so, how many Judges have been transferred so far, and

(c) if not, the reasons why Government are not able to make such a policy?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) The Government had accepted as a policy the recommendations of the Law Commission in its 80th Report that there should be a convention according to which 1/3rd of Judges in each High Court should be from any other State. The Government had decided that this may be implemented either by making initial appointments from outside or by effecting transfers. Pursuant to this policy, transfer/appointment of Judges and Chief Justices of the High Courts are being made on the recommendations of the Chief Justice of India.

The policy was drawn up not only to foster national integration but also to improve the functioning of the High Courts. However, members of the BAR, before appointment as Judges are required to furnish details about relations working or practising in that or any other High Court or the Supreme Court of India.

(b) and (c) Do not arise.

Vacancies of Judges in Supreme Court and High Courts

3210. SHRI MURLI DEORA : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of posts of Judges lying vacant in various High Courts and Supreme Court at present and the period from which these are lying vacant alongwith the reasons therefor;

(b) the steps taken to fill them up and the time by which these will be filled up to clear the backlog of cases;